

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U 902 E) for Approval of: (1) Contract Administration, Least Cost Dispatch and Power Procurement Activities, and (2) Costs and Expenses Related to those Activities Recorded to the Electric Resource Recovery Account, Incurred During the Record Period October 1, 2003 through December 31, 2004.

Application 05-06-014
(Filed June 1, 2005)

**SCOPING MEMO AND RULING OF ASSIGNED COMMISSIONER
AND ADMINISTRATIVE LAW JUDGE**

Summary

This ruling and scoping memo (Scoping Memo) confirms certain rulings made at the prehearing conference (PHC) in this case held Friday, July 22, 2005, in San Francisco, California. It also sets forth the schedule and issues, and addresses other procedural requirements.

Categorization and Need for Hearings

This ruling confirms the Commission's preliminary categorization in Resolution ALJ 176-3154 dated June 16, 2005, of ratesetting. This ruling is appealable under Rule 6.4 of the Commission's Rules of Practice and Procedure.

We also confirm the preliminary determination that hearings are necessary.

Scope of this Proceeding

This proceeding will review San Diego Gas & Electric Company's (SDG&E) contract administration, least cost dispatch, and procurement activities for the period between October 1, 2003 and December 31, 2004.

Schedule

The following schedule is adopted:

Date	Event
Friday, October 21, 2005	The Office of Ratepayer Advocates serves its testimony.
Monday, November 14, 2005	SDG&E serves rebuttal testimony.
Tuesday, November 22, 2005	Parties email to each other and to the assigned Administrative Law Judge (ALJ) their cross-examination estimates. ALJ Econome's email is jjj@cpuc.ca.gov
Tuesday, November 29, 2005 commencing at 10:00 a.m.; also November 30, December 1, and December 2, 2005, if necessary, commencing at 9:00 a.m.	Evidentiary hearings in the Commission's Courtroom, 505 Van Ness Avenue, San Francisco, California 94102. Last day to request final oral argument before the Commission.
Friday, December 23, 2005	Concurrent opening briefs due.
Friday, January 13, 2006	Concurrent reply briefs due and the proceeding is submitted.
Thursday, April 13, 2006	Last day to mail proposed decision.

Our goal is to resolve this proceeding as soon as possible. We anticipate that the resolution of the issues raised in this scoping memo will not exceed 18 months from the date of this scoping memo, pursuant to Pub. Util. Code § 1701.5(a).

Principal Hearing Officer and Final Oral Argument

This ruling designates ALJ Econome as the principal hearing officer.

As stated in the schedule, and pursuant to Rule 8(d), parties requesting final oral argument before the Commission should do so no later than the close of evidentiary hearings, currently scheduled for December 2, 2005, unless directed otherwise by the Assigned Commissioner or ALJ.

Service List

The service list for this proceeding is attached to this Scoping Memo as Appendix A. Parties are requested to serve everyone, whether appearance, state service, or information only, with all pleadings, prepared testimony, etc.

Exhibits

Parties shall follow the requirements set forth in Appendix B regarding service, correction, and identification of, and cross-examination with, exhibits in the hearing room.

Ex Parte Communications

This ratesetting proceeding is subject to Pub. Util. Code § 1701.3(c), as well as Rules 7(c), (f), and (g) and 7.1.

Discovery Disputes

If the parties have discovery disputes they are unable to resolve by meeting and conferring, they should raise these disputes with the Commission pursuant to Resolution ALJ-164. SDG&E's motion for protective order will be addressed by a separate written ruling.

Therefore, **IT IS RULED** that:

1. This ruling confirms the Commission's preliminary categorization in Resolution ALJ 176-3154 dated June 16, 2005 of ratesetting. This ruling is appealable under Rule 6.4.
2. This ruling confirms the Commission's preliminary determination that hearings are necessary.

3. The scope of this proceeding is set forth in this ruling.
4. The schedule of this proceeding, including its projected submission date, is set forth in this ruling. The ALJ may make any revisions to this schedule, as necessary to facilitate the efficient management of the proceeding.
5. ALJ Econome is designated as the principal hearing officer.
6. The official service list is attached as Appendix A. Parties shall serve everyone on the service list.
7. Parties shall follow the instructions in Appendix B regarding exhibits.
8. Rules 7(c), (f), and (g) and 7.1 apply to this proceeding regarding ex parte communication.
9. Parties shall comply with the procedures set forth in Resolution ALJ-164 regarding discovery disputes.

Dated July 28, 2005, at San Francisco, California.

/s/ MICHAEL R. PEEVEY
Michael R. Peevey
Assigned Commissioner

/s/ JANET A. ECONOME
Janet A. Econome
Administrative Law Judge

APPENDIX A

SERVICE LIST IN A.05-06-014

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(END OF APPENDIX A)

APPENDIX B

EXHIBITS

Service of Exhibits

All prepared written testimony shall be served on everyone on the service list, as well as on the Assigned Commissioner's office and on the Assigned ALJ. Do NOT file prepared written testimony with the Commission's Docket Office. (Such testimony becomes part of the record only after it is admitted into evidence.)

Identification of Exhibits in the Hearing Room

Each party sponsoring an exhibit shall, in the hearing room, provide **two copies to the ALJ and one to the court reporter**, and have copies available for distribution to the other parties present in the hearing room, if the exhibit has not already been served. **The upper right hand corner of the exhibit cover sheet shall be blank for the ALJ's exhibit stamp.** Please note that this directive applies to cross-examination exhibits as well. If there is insufficient room in the upper right hand corner for an exhibit stamp, please prepare a cover sheet for the cross-examination exhibit.

Cross-examination With Exhibits

As a general rule, if a party intends to introduce an exhibit in the course of cross-examination, the party should provide a copy of the exhibit to the witness and the witness' counsel before the witness takes the stand on the day the exhibit is to be introduced. Generally, a party is not required to give the witness an advance copy of the document if it is to be used for purposes of impeachment or to obtain the witness' spontaneous reaction. An exception might exist if parties have otherwise agreed to prior disclosure, such as in the case of confidential documents.

Corrections to Exhibits

Generally, corrections to an exhibit should be made in advance and not orally from the witness stand. Corrections should be made in a timely manner by providing new exhibit pages on which corrections appear. The original text to be deleted should be lined out with the substitute or added text shown above or inserted. Each correction page should be marked with the word "revised" and the revision date.

Exhibit corrections will receive the same number as the original exhibit plus a letter to identify the correction. Corrections of exhibits with multiple sponsors will also be identified by chapter number. For example, Exhibit 5-3-B is the second correction made to Chapter 3 of Exhibit 5.

(END OF APPENDIX B)

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Scoping Memo and Ruling of Assigned Commissioner and Administrative Law Judge on all parties of record in this proceeding or their attorneys of record.

Dated July 28, 2005, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

(415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282
at least three working days in advance of the event.